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\*\*\* THIS SECTION IS CURRENT THROUGH PUBLIC ACT 89-444 (APPROVED  
1-25-96) \*\*\*

\*\*\* (1996 REGULAR SESSION) \*\*\*

CHAPTER 50. LOCAL GOVERNMENT  
POLICE, FIRE, AND EMERGENCY SERVICES  
EMERGENCY TELEPHONE SYSTEM ACT

50 ILCS 750/2.19 (1996)

§ 50 ILCS 750/2.19. 9-1-1 system

Sec. 2.19. 9-1-1 system. "9-1-1 system" means the geographic area that has been granted an order of authority by the Commission to use "9-1-1" as the primary emergency telephone number.

HISTORY:

Source: P.A. 88-604, § 3.

NOTES:

EFFECTIVE DATE.

Section 99 of P.A. 88-604 made this section effective upon becoming law. The Act was approved September 1, 1994.



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50 ILCS 750/3 (1996)

OLD-CITE: [Prior to 1/1/93 cited as: Ill. Rev. Stat., Ch. 134, para.  
33]

§ 50 ILCS 750/3. [Establishment of systems]

Sec. 3. Every local public agency in a county having 100,000 or more inhabitants, within its respective jurisdiction, shall establish and have in operation within 3 years after the implementation date or by December 31, 1985, whichever is later, a basic or sophisticated system as specified in this Act. Other public agencies may establish such a system, and shall be entitled to participate in any program of grants or other State funding of such systems.

The establishment of such systems shall be centralized to the extent feasible. Nothing in this Act shall be construed to prohibit or discourage in any way the formation of multijurisdictional or regional systems, and any system established pursuant to this Act may include the territory of more than one public agency or may include a segment of the territory of a public agency.

HISTORY:

Source: P.A. 81-1509.

NOTES:

NOTE.

This section was Ill.Rev.Stat., Ch. 134, para. 33.

CASE NOTES

OVERSIGHT

--COMMERCE COMMISSION

The Illinois Commerce Commission, and not local governments, is responsible for 911 emergency systems. *Barth ex rel. Barth v. Board of Educ.*, 141 Ill. App. 3d 266, 95 Ill. Dec. 604, 490 N.E.2d 77 (1 Dist. 1986).



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50 ILCS 750/4 (1996)

OLD-CITE: [Prior to 1/1/93 cited as: Ill. Rev. Stat., Ch. 134, para.  
34]

§ 50 ILCS 750/4. [Agencies included in system]

Sec. 4. Every system shall include police, firefighting, and emergency medical and ambulance services, and may include other emergency services, in the discretion of the affected local public agency, such as poison control services, suicide prevention services, and civil defense services. The system may incorporate private ambulance service. In those areas in which a public safety agency of the state provides such emergency services, the system shall include such public safety agencies.

HISTORY:

Source: P.A. 79-1092.

NOTES:

NOTE.

This section was Ill.Rev.Stat., Ch. 134, para. 34.



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50 ILCS 750/5 (1996)

OLD-CITE: [Prior to 1/1/93 cited as: Ill. Rev. Stat., Ch. 134, para.  
35]

§ 50 ILCS 750/5. [Primary emergency number; backup number]

Sec. 5. The digits "9-1-1" shall be the primary emergency telephone number within the system, but a public agency or public safety agency shall maintain a separate secondary seven digit emergency backup number for at least six months after the "9-1-1" system is established and in operation, and shall maintain a separate number for nonemergency telephone calls.

HISTORY:

Source: P.A. 85-978.

NOTES:

NOTE.

This section was Ill.Rev.Stat., Ch. 134, para. 35.



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50 ILCS 750/6 (1996)

OLD-CITE: [Prior to 1/1/93 cited as: Ill. Rev. Stat., Ch. 134, para.  
36]

§ 50 ILCS 750/6. [System design; pay telephones;]

Sec. 6. All systems shall be designed to meet the specific requirements of each community and public agency served by the system. Every system, whether basic or sophisticated, shall be designed to have the capability of utilizing at least 1 of the methods specified in Sections 2.03 through 2.06 [50 ILCS 750/2.03 through 50 ILCS 750/2.06], in response to emergency calls. The General Assembly finds and declares that the most critical aspect of the design of any system is the procedure established for handling a telephone request for emergency services.

In addition, to maximize efficiency and utilization of the system, all pay telephones within each system shall, within 3 years after the implementation date or by December 31, 1985, whichever is later, enable a caller to dial "9-1-1" for emergency services without the necessity of inserting a coin.

HISTORY:

Source: P.A. 85-978.

NOTES:

NOTE.

This section was Ill.Rev.Stat., Ch. 134, para. 36.



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50 ILCS 750/6.1 (1996)

OLD-CITE: [Prior to 1/1/93 cited as: Ill. Rev. Stat., Ch. 134, para.  
36.1]

§ 50 ILCS 750/6.1. [Accessibility for hearing-impaired and speech-impaired  
individuals]

Sec. 6.1. The Commission shall require that every 9-1-1 system be readily  
accessible to hearing-impaired and voice-impaired individuals through the use of  
telecommunications technology for hearing-impaired and speech-impaired  
individuals.

As used in this Section:

"Hearing-impaired individual" means a person with a permanent hearing loss  
who can regularly and routinely communicate by telephone only through the aid of  
devices which can send and receive written messages over the telephone network.

"Voice-impaired individual" means a person with a permanent speech  
disability which precludes oral communication, who can regularly and routinely  
communicate by telephone only through the aid of devices which can send and  
receive written messages over the telephone network.

"Telecommunications technology" means equipment that can send and receive  
written messages over the telephone network.

HISTORY:

Source: P.A. 87-146.

NOTES:

NOTE.

This section was Ill.Rev.Stat., Ch. 134, para. 36.1.



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50 ILCS 750/7 (1996)

OLD-CITE: [Prior to 1/1/93 cited as: Ill. Rev. Stat., Ch. 134, para.  
37]

§ 50 ILCS 750/7. [Plan to effectuate purposes; compliance]

Sec. 7. The General Assembly finds that, because of overlapping jurisdiction of public agencies, public safety agencies and telephone service areas, the Commission shall establish a general overview or plan to effectuate the purposes of this Act within the time frame provided in this Act. In order to insure that proper preparation and implementation of emergency telephone systems are accomplished by all public agencies in a county having 100,000 or more inhabitants within 3 years after the implementation date or by December 31, 1985, whichever is later, the Commission, with the advice and assistance of the Attorney General, shall secure compliance by public agencies as provided in this Act.

HISTORY:

Source: P.A. 81-1122.

NOTES:

NOTE.

This section was Ill.Rev.Stat., Ch. 134, para. 37.

CASE NOTES

JUDICIAL REVIEW

The Emergency Telephone Act does not provide for any method of judicial review, rather the act expressly charges the Illinois Commerce Commission with establishing a general overview or plan to effectuate the purposes of the act and commands the Commission, with the advice and assistance of the Attorney General, to coordinate the implementation of systems established under the *Emergency Telephone Act*. *Village of Montgomery v. Illinois Commerce Comm'n*, 249 Ill. App. 3d 484, 188 Ill. Dec. 725, 618 N.E.2d 1295 (2 Dist. 1993).

The plain language of 220 ILCS 5/10-201 expressly refers to any order or decision of the Commission and according the statutory language its fullest possible meaning, leads to the conclusion that the legislature intended to include orders entered by the Commission under the Emergency Telephone Act to be



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subject to the appellate review provisions in 220 ILCS 5/10-201. *Village of Montgomery v. Illinois Commerce Comm'n*, 249 Ill. App. 3d 484, 188 Ill. Dec. 725, 618 N.E.2d 1295 (2 Dist. 1993).



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50 ILCS 750/8 (1996)

OLD-CITE: [Prior to 1/1/93 cited as: Ill. Rev. Stat., Ch. 134, para.  
38]

§ 50 ILCS 750/8. [Implementation of systems; financing]

Sec. 8. The Commission, with the advice and assistance of the Attorney General, shall coordinate the implementation of systems established under this Act. The Commission, with the advice and assistance of the Attorney General, shall assist local public agencies and local public safety agencies in obtaining financial help to establish emergency telephone service, and shall aid such agencies in the formulation of concepts, methods, and procedures which will improve the operation of systems required by this Act and which will increase cooperation between public safety agencies.

HISTORY:

Source: P.A. 79-1092.

NOTES:

NOTE.

This section was Ill.Rev.Stat., Ch. 134, para. 38.



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50 ILCS 750/9 (1996)

OLD-CITE: [Prior to 1/1/93 cited as: Ill. Rev. Stat., Ch. 134, para.  
39]

§ 50 ILCS 750/9. [Consultation to Commission by agencies]

Sec. 9. To accomplish the responsibilities specified in this Act, the Commission is directed to consult at regular intervals with the State Fire Marshal, the Department of Public Health, the Department of Transportation, the public utilities in this State providing telephone service, the Department of State Police, and the State Division of Forestry. Such agencies shall provide all necessary assistance and consultation to the Commission to enable it to perform its duties specified in this Act.

HISTORY:

Source: P.A. 84-25.

NOTES:

NOTE.

This section was Ill.Rev.Stat., Ch. 134, para. 39.



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50 ILCS 750/10 (1996)

OLD-CITE: [Prior to 1/1/93 cited as: Ill. Rev. Stat., Ch. 134, para.  
40]

§ 50 ILCS 750/10. [Technical and operational standards]

Sec. 10. Technical and operational standards for the development of the  
local agency systems shall be established and reviewed by the Commission on or  
before December 31, 1979, after consultation with all agencies specified in  
Section 9 [50 ILCS 750/9].

HISTORY:

Source: P.A. 79-1092.

NOTES:

NOTE.

This section was Ill.Rev.Stat., Ch. 134, para. 40.

CASE NOTES

OVERSIGHT

--COMMERCE COMMISSION

The Illinois Commerce Commission is the agency responsible for the  
implementation and on-going supervision of 911 systems. *City of Peoria v.*  
*Illinois Commerce Comm'n*, 132 Ill. App. 3d 835, 87 Ill. Dec. 623, 477 N.E.2d 749  
(3 Dist. 1985).



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50 ILCS 750/10.1 (1996)

OLD-CITE: [Prior to 1/1/93 cited as: Ill. Rev. Stat., Ch. 134, para.  
40.1]

§ 50 ILCS 750/10.1. [Confidentiality of non-listed numbers]

Sec. 10.1. 9-1-1 information consisting of names, addresses and telephone numbers of telephone customers whose listings are not published in directories or listed in Directory Assistance Offices is confidential. Information shall be provided on a call-by-call basis only for the purpose of responding to emergency calls.

Divulging confidential information in violation of this Section is a Class A misdemeanor.

HISTORY:

Source: P.A. 87-146.

NOTES:

NOTE.

This section was Ill.Rev.Stat., Ch. 134, para. 40.1.



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50 ILCS 750/10.2 (1996)

OLD-CITE: [Prior to 1/1/93 cited as: Ill. Rev. Stat., Ch. 134, para.  
40.2]

§ 50 ILCS 750/10.2. [Emergency Telephone System Board; duties]

Sec. 10.2. The Emergency Telephone System Board in any county passing a referendum under Section 15.3 [50 ILCS 750/15.3], and the Chairman of the County Board in any county implementing a 9-1-1 system shall ensure that all areas of the county are included in the system.

HISTORY:

Source: P.A. 87-146.

NOTES:

NOTE.

This section was Ill.Rev.Stat., Ch. 134, para. 40.2.



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50 ILCS 750/11 (1996)

OLD-CITE: [Prior to 1/1/93 cited as: Ill. Rev. Stat., Ch. 134, para.  
41]

§ 50 ILCS 750/11. [Plans for system; filing]

Sec. 11. Within one year after the implementation date or by January 31, 1980, whichever is later, all public agencies in a county having 100,000 or more inhabitants shall submit tentative plans of the establishment of a system required by this Act to the public utility or utilities providing public telephone service within the respective jurisdiction of each public agency. A copy of each such plan shall be filed with the Commission.

Within 2 years after the implementation date or by January 31, 1982, whichever is later, all public agencies in a county having 100,000 or more inhabitants shall submit final plans for the establishment of the system to such utilities, and shall make arrangements with such utilities for the implementation of the planned emergency telephone system no later than 3 years after the implementation date or by December 31, 1985, whichever is later. A copy of the plan required by this subdivision shall be filed with the Commission. In order to secure compliance with the standards promulgated under Section 10 [50 ILCS 750/10], the Commission shall have the power to approve or disapprove such plan, unless such plan was announced before the effective date of this Act.

If any public agency has implemented or is a part of a system required by this Act on a deadline specified in this Section, such public agency shall submit in lieu of the tentative or final plan a report describing the system and stating its operational date.

Plans filed under this Section shall conform to minimum standards established pursuant to Section 10 [50 ILCS 750/10].

HISTORY:

Source: P.A. 81-1122.

NOTES:

NOTE.



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50 ILCS 750/12 (1996)

OLD-CITE: [Prior to 1/1/93 cited as: Ill. Rev. Stat., Ch. 134, para.  
42]

§ 50 ILCS 750/12. [Enforcing compliance]

Sec. 12. The Attorney General may, in behalf of the Commission or on his own initiative, commence judicial proceedings to enforce compliance by any public agency or public utility providing telephone service with this Act.

HISTORY:

Source: P.A. 79-1092.

NOTES:

NOTE.

This section was Ill.Rev.Stat., Ch. 134, para. 42.



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50 ILCS 750/13 (1996)

OLD-CITE: [Prior to 1/1/93 cited as: Ill. Rev. Stat., Ch. 134, para.  
43]

§ 50 ILCS 750/13. [Report to General Assembly; recommendations to Bureau of the  
Budget]

Sec. 13. On or before February 16, 1979, and again on or before February 16,  
1981, the Commission shall report to the General Assembly the progress in the  
implementation of systems required by this Act. Such reports shall contain his  
recommendations for additional legislation.

In December of 1979 and in December of 1980 the Commission, with the advice  
and assistance of the Attorney General, shall submit recommendations to the  
Bureau of the Budget and to the Governor specifying amounts necessary to further  
implement the organization of telephone systems specified in this Act during the  
succeeding fiscal year. The report specified in this paragraph shall contain, in  
addition, an estimate of the fiscal impact to local public agencies which will  
be caused by implementation of this Act.

By March 1 in 1979 and every even-numbered year thereafter, each telephone  
company shall file a report with the Commission and the General Assembly  
specifying, in such detail as the Commission has by rule or regulation required,  
the extent to which it has implemented a planned emergency telephone system and  
its projected further implementation of such a system.

The requirement for reporting to the General Assembly shall be satisfied by  
filing copies of the report with the Speaker, the Minority Leader and the Clerk  
of the House of Representatives and the President, the Minority Leader and the  
Secretary of the Senate and the Legislative Research Unit, as required by  
Section 3.1 of "An Act to revise the law in relation to the General Assembly",  
approved February 25, 1874, as amended [25 ILCS 5/3.1], and filing such  
additional copies with the State Government Report Distribution Center for the  
General Assembly as is required under paragraph (t) of Section 7 of the State  
Library Act [15 ILCS 320/7(t)].

HISTORY:

Source: P.A. 84-1438.



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NOTES:

NOTE.

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50 ILCS 750/14 (1996)

OLD-CITE: [Prior to 1/1/93 cited as: Ill. Rev. Stat., Ch. 134, para.  
44]

§ 50 ILCS 750/14. [Purpose; responding outside boundaries; joint powers  
agreement]

Sec. 14. The General Assembly declares that a major purpose in enacting this Act is to eliminate instances in which a responding emergency service refuses to render aid to the requester because the requester is outside of the jurisdictional boundaries of the emergency service. Therefore, in implementing systems under this Act, all public agencies in a single system shall enter into a joint powers agreement or any other form of written cooperative agreement which is applicable when need arises on a day-to-day basis. Certified notification of the continuation of such agreements shall be made among the involved parties on an annual basis. In addition, such agreements shall be entered into between public agencies and public safety agencies which are part of different systems but whose jurisdictional boundaries are contiguous. The agreements shall provide that, once an emergency unit is dispatched in response to a request through the system, such unit shall render its services to the requesting party without regard to whether the unit is operating outside its normal jurisdictional boundaries.

HISTORY:

Source: P.A. 86-101.

NOTES:

NOTE.

This section was Ill.Rev.Stat., Ch. 134, para. 44.



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\*\*\* (1996 REGULAR SESSION) \*\*\*

CHAPTER 50. LOCAL GOVERNMENT  
POLICE, FIRE, AND EMERGENCY SERVICES  
EMERGENCY TELEPHONE SYSTEM ACT

50 ILCS 750/15 (1996)

OLD-CITE: [Prior to 1/1/93 cited as: Ill. Rev. Stat., Ch. 134, para.  
45]

§ 50 ILCS 750/15. [Joint powers agreement; notification of continuing agreement  
filing]

Sec. 15. Copies of the annual certified notification of continuing agreement  
required by Section 14 [50 ILCS 750/14] shall be filed with the Attorney General  
and the Commission. Commencing with the year 1987, all such agreements shall be  
so filed prior to the 31st day of January. The Attorney General shall commence  
judicial proceedings to enforce compliance with this Section and Section 14 [50  
ILCS 750/14], where a public agency or public safety agency has failed to timely  
enter into such agreement or file copies thereof.

HISTORY:

Source: P.A. 86-101.

NOTES:

NOTE.

This section was Ill.Rev.Stat., Ch. 134, para. 45.



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CHAPTER 50. LOCAL GOVERNMENT  
POLICE, FIRE, AND EMERGENCY SERVICES  
EMERGENCY TELEPHONE SYSTEM ACT

50 ILCS 750/15.1 (1996)

OLD-CITE: [Prior to 1/1/93 cited as: Ill. Rev. Stat., Ch. 134, para.  
45.1]

§ 50 ILCS 750/15.1. [Liability for civil damages]

Sec. 15.1. No public agency, public safety agency, emergency telephone system board, or unit of local government assuming the duties of an emergency telephone system board, nor any officer, agent or employee of any public agency, public safety agency, emergency telephone system board, or unit of local government assuming the duties of an emergency telephone system board, shall be liable for any civil damages as a result of any act or omission, except wilful or wanton misconduct, in connection with developing, adopting, operating or implementing any plan or system required by this Act.

No person who gives emergency instructions through a system established under this Act to persons rendering services in an emergency at another location, nor any person following such instructions in rendering such services, shall be liable for any civil damages as a result of issuing or following the instructions, unless issuing or following the instructions constitutes wilful or wanton misconduct.

This Section may not be offered as a defense in any judicial proceeding brought by the Attorney General under Section 12 [50 ILCS 750/12] to compel compliance with this Act.

HISTORY:

Source: P.A. 80-744; 89-403, § 5.

NOTES:

NOTE.

This section was Ill.Rev.Stat., Ch. 134, para. 45.1.

EFFECT OF AMENDMENTS.

The 1995 amendment by P.A. 89-403, effective January 1, 1996, in the first paragraph, deleted "or" preceding "public safety agency" twice and inserted "emergency telephone system board, or unit of local government assuming the duties of an emergency telephone system board" twice.



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## CASE NOTES

## WRONGFUL DEATH ACTION

## --STANDARD OF REVIEW

In spite of the fact that plaintiff in a wrongful death action was connected to the fire department when she placed her call to 911, this fact was insufficient to contradict the standard of liability that is expressly imposed on public agencies and their employees who operate and implement the 911 service. The standard of wilful and wanton misconduct was applied to city in assessing the court's entry of summary judgment for city. *Shefts v. City of Chicago*, 238 Ill. App. 3d 37, 179 Ill. Dec. 258, 606 N.E.2d 90 (1 Dist. 1992).



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CHAPTER 50. LOCAL GOVERNMENT  
POLICE, FIRE, AND EMERGENCY SERVICES  
EMERGENCY TELEPHONE SYSTEM ACT

50 ILCS 750/15.2 (1996)

OLD-CITE: [Prior to 1/1/93 cited as: Ill. Rev. Stat., Ch. 134, para.  
45.2]

§ 50 ILCS 750/15.2. [False alarm or information; penalty]

Sec. 15.2. Any person calling the number "911" for the purpose of making a false alarm or complaint and reporting false information which could result in the emergency response of any public safety agency shall be guilty of a Class B misdemeanor. Second and subsequent violations of this Section shall be a Class A misdemeanor.

HISTORY:

Source: P.A. 85-1209.

NOTES:

NOTE.

This section was Ill.Rev.Stat., Ch. 134, para. 45.2.



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CHAPTER 50. LOCAL GOVERNMENT  
POLICE, FIRE, AND EMERGENCY SERVICES  
EMERGENCY TELEPHONE SYSTEM ACT

50 ILCS 750/15.2a (1996)

OLD-CITE: [Prior to 1/1/93 cited as: Ill. Rev. Stat., Ch. 134, para.  
45.2a]

§ 50 ILCS 750/15.2a. [Pre-recorded message prohibited; penalty]

Sec. 15.2a. The installation of or connection to a telephone company's network of any automatic alarm, automatic alerting device, or mechanical dialer that causes the number 9-1-1 to be dialed in order to directly access emergency services is prohibited in a 9-1-1 system. Violation of this Section is a Class A misdemeanor. A second or subsequent violation of this Section is a Class 4 felony.

HISTORY:

Source: P.A. 87-146; 88-497, § 5.

NOTES:

NOTE.

This section was Ill.Rev.Stat., Ch. 134, para. 45.2a.

EFFECT OF AMENDMENTS.

The 1993 amendment by P.A. 88-497, effective September 13, 1993, in the first sentence, substituted "that causes" for "which causes" and deleted "and provides a pre-recorded message" following "to be dialed".



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CHAPTER 50. LOCAL GOVERNMENT  
POLICE, FIRE, AND EMERGENCY SERVICES  
EMERGENCY TELEPHONE SYSTEM ACT

50 ILCS 750/15.2b (1996)

§ 50 ILCS 750/15.2b. Emergency telephone number; advertising

Sec. 15.2b. Emergency telephone number; advertising. No person or private entity may advertise or otherwise publicize the availability of services provided by a specific provider and indicate that a consumer should obtain access to services provided by a specific provider by use of the emergency telephone number (9-1-1).

HISTORY:

Source: P.A. 88-497, § 5.

NOTES:

EFFECTIVE DATE.

Section 99 of P.A. 88-497 made this section effective upon becoming law. The Act was approved September 13, 1993.



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